

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Akio Uchiyama, et al. **Examiner:** Jonathan Cwern
Serial No: 10/771,730 **Art Unit:** 3737
Filed: February 4, 2004 **Docket:** 17415
For: MEDICAL APPARATUS
GUIDING SYSTEM **Dated:** July 14, 2008
Conf. No.: 4045

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Pursuant to the restriction requirement imposed in the Official Action dated June 17, 2008, Applicants elect the claims of Group I, i.e., Claims 1-51 for continued prosecution herein.

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website on the date set forth below.

Dated: July 14, 2008



Thomas Spinelli

Claims 1-62 are present in the above-captioned application and have been subjected to restriction under 35 U.S.C. § 121. Specifically, the Official Action avers that the following inventions are present in the claims:

Group I, Claims 1-51, drawn to a medical apparatus guiding system classified in class 600, subclass 407; and

Group II, Claims 52-62, drawn to a control method of a medical apparatus guiding system, classified in class 128, subclass 898.

It is the Examiner's position that the inventions listed as Groups I and II are distinct from each other.

In response to the Examiner's requirement for restriction, Applicants elect to prosecute the subject matter of Group I, Claims 1-51. However, Applicants reserve the right under 35 U.S.C. § 121 to file one or more divisional applications directed to the non-elected subject matter in this application.

In view of the foregoing, an examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,

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